

1. Claim 15:

(a) Beginning in line 16, the phrase beginning "adapted to allow ..." is functional, indefinite and recites no distinct structure.

(b) The "whereby" clause beginning in line 18 is also functional and indefinite; it is conditional and based on the indefinite term "use mode".

2. Claim 25:

The same two phrases and for the reasons given relative to claim 15.

3. Claims 24 and 28:

The term "said rear wall" has no antecedent basis.

The phrases objected to by the Examiner in claims 15 and 25 have been deleted and replaced by the following:

---said sheet being wholly deployed outside of said carrying case in said use mode ---.

Claims 15 and 25 have been further amended to provide antecedent basis for the term "said rear wall" appearing in claims 24 and 28.

It is submitted that with the present amendments to claims 15 and 25 the rejection of claims 15-28 under 35 U.S.C. 112 are no longer applicable, and these rejections should be withdrawn.

B. Rejections under 35 U.S.C. 103:

1. Claims 15, 18, 19, 21 and 22 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Wade (U.S. Patent Des. 359,411) in view of Hunt (U.S. Patent 5,072,467).

It is the Examiner's position that "Wade teaches all the limitations of claim 15 except the case being attached inwardly of the first end of the sheet", and cites Hunt to supply this deficiency.

Independent claim 15 recites that "a portion of said inner surface of one of said front and rear walls of said carrying case - (is) - permanently attached to said sheet". **WADE DOES NOT DISCLOSE THIS!** No portion of the inner surface of the wall of the tote bag of Wade is attached to his chair cover. Hunt does not supply this deficiency. Clearly claim 15 and dependent claims 18, 19, 21 and 22 are patentable over Wade in view of Hunt, and it is requested that the rejection based on these references be withdrawn.

2. Claims 16 and 17, which are dependent from claim 15, have been rejected under 35 U.S.C. 103(a) as being unpatentable over Wade in view of Hunt for the reasons urged against claim 15, further in view of Silvestri. Silvestri is cited for its description of slip cover pockets, and does not supply the deficiency in Wade and Hunt discussed relative to claim 15 in paragraph B1 above. Since claim 15 is patentable over Wade in view of Hunt for the reasons discussed above, and Silvestri does not cure their deficiency, claims 16 and 17 are clearly patentable over the cited combination of references, and it is requested that the

rejection based thereon be withdrawn.

3. Independent claim 25, and dependent claims 26 and 27, have been rejected under 35 U.S.C. 103(a) as being unpatentable over Wade view of Hunt and Silvestri.

Independent claim 25 recites that "a portion of said inner surface of one of said front and rear walls of said carrying case - (is)-- permanently attached to said sheet". **WADE DOES NOT DISCLOSE THIS!** No portion of the inner surface of the wall of the tote bag of Wade is attached to his chair cover. Neither Hunt nor Silvestri supplies this deficiency. Clearly independent claim 25 and dependent claims 26 and 27 are patentable over Wade in view of Hunt and Silvestri, and it is requested that the rejection based on these references be withdrawn.

4. Claim 20 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Wade in view of Hunt, and further in view of Battistella and Buhot et al. Claim 20 is dependent from claim 18. Battistella is cited for its description of a beach towel with pockets 12b located inward of the edges. Buhot et al is cited for its description of a pocket 3 inward of the edges of a beach towel. Neither Battistella nor Buhot et al. supply the deficiency of the Wade and Hunt rejection of claim 18 discussed in paragraph B1 above. Therefore, claim 20 is patentable over the cited combination of references, and it is requested that the rejection based thereon be withdrawn.

5. Claim 23 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Wade in view of Hunt, and further in view

of Terrazas. Claim 23 is dependent from claim 15. Terrazas has been cited for its description of a waterproof sheet, and not to supply the deficiency of the Wade and Hunt rejection of claim 15 discussed in paragraph B1 above. Therefore, claim 23 is patentable over the cited combination of references, and it is requested that the rejection based thereon be withdrawn.

6. Claim 24 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Wade in view of Hunt, and further in view of Battistella. Claim 24 is dependent from claim 15. Battistella is cited for its description of a flap 4 for a case 3, and not to supply the deficiency of the Wade and Hunt rejection of claim 15 discussed in paragraph B1 above. Therefore, claim 24 is patentable over the cited combination of references, and it is requested that the rejection based thereon be withdrawn.


7. Claim 28 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Wade in view of Hunt, and further in view of Battistella. Claim 28 is dependent from claim 25. Battistella is cited for its description of a flap 4 for a case 3, and not to supply the deficiency of the Wade and Hunt rejection of claim 25 discussed in paragraph B3 above. Therefore, claim 28 is patentable over the cited combination of references, and it is requested that the rejection based thereon be withdrawn.

D. Conclusion:

In view of the present amendments, and for the reasons given above, it is submitted that all of the claims in the application

(claims 15-28) are in condition for allowance, and an early issuance of a Notice of Allowance is requested.

Respectfully submitted,



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EXHIBIT A

Clean copy of amended claims 15 and 25:

15. (amended) A combination of a flexible sheet usable as a towel or blanket and a carrying case integral with said flexible sheet comprising:

a flexible, rectangular sheet having first and second ends and first and second longitudinal edges; and

C a flexible carrying case reversible from a transport and storage mode to a use mode by pulling said carrying case inside out, said carrying case having first and second ends and front and rear walls, said carrying case being open at said first end and closed at said second end, said front and rear walls of said carrying case in said transport and storage mode each having an outer surface and an inner surface, a portion of said inner surface of one of said front and rear walls of said carrying case being permanently attached to said sheet at a location inwardly of said first end of said sheet and between said first and second longitudinal edges of said sheet, said carrying case wholly containing said sheet within said carrying case in said transport and storage mode, said sheet being wholly deployed outside of said carrying case in said use mode with said open first end of said carrying case facing one of said longitudinal edges of said sheet and with said outer surface of said carrying case forming the inner surface of a pillow case.

C2 25. (amended) A combination of a flexible sheet usable as a towel

or blanket and a carrying case integral with said flexible sheet comprising:

a flexible, rectangular sheet having first and second ends and first and second longitudinal edges; and

a flexible carrying case reversible from a transport and storage mode to a use mode by pulling said carrying case inside out, said carrying case having first and second ends and front and rear walls, said carrying case being open at said first end and closed at said second end, said front and rear walls of said carrying case in said transport and storage mode each having an outer surface and an inner surface, a portion of said inner surface of one of said front and rear walls of said carrying case being permanently attached to said sheet at a location inwardly of said first end of said sheet and between said first and second longitudinal edges of said sheet, said carrying case wholly containing said sheet within said carrying case in said transport and storage mode, said sheet being wholly deployed outside of said carrying case in said use mode with said open first end of said carrying case facing one of said longitudinal edges of said sheet and with said outer surface of said carrying case forming the inner surface of a pillow case;

a slip cover pocket located at said first end of said sheet, said slip cover being configured to be placed over that end of a lounge chair adapted to receive a user's torso; and

at least one pocket located adjacent at least one of said longitudinal edges of said sheet.



EXHIBIT B

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Amended claims 15 and 25 marked-up to show changes JUN 10 2002

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15. (amended) A combination of a flexible sheet usable as a towel or blanket and a carrying case integral with said flexible sheet comprising:

a flexible, rectangular sheet having first and second ends and first and second longitudinal edges; and

a flexible carrying case reversible from a transport and storage mode to a use mode by pulling said carrying case inside out, said carrying case having first and second ends and front and rear walls, said carrying case being open at said first end and closed at said second end, said front and rear walls of said carrying case in said transport and storage mode each having an outer surface and an inner surface, a portion of said inner surface of one of said front and rear walls of said carrying case being permanently attached to said sheet at a location inwardly of said first end of said sheet and between said first and second longitudinal edges of said sheet, said carrying case wholly containing said sheet within said carrying case in said transport and storage mode, [said carrying case adapted to allow deployment of said sheet by reversing said carrying case into said use mode, whereby when said carrying case is reversed into said use mode] said sheet being wholly deployed outside of said carrying case in said use mode with said open first end of said carrying case [faces] facing one of said longitudinal edges of said sheet and with said outer surface of said carrying case [forms] forming the

inner surface of a pillow case.

25. (amended) A combination of a flexible sheet usable as a towel or blanket and a carrying case integral with said flexible sheet comprising:

a flexible, rectangular sheet having first and second ends and first and second longitudinal edges; and

a flexible carrying case reversible from a transport and storage mode to a use mode by pulling said carrying case inside out, said carrying case having first and second ends and front and rear walls, said carrying case being open at said first end and closed at said second end, said front and rear walls of said carrying case in said transport and storage mode each having an outer surface and an inner surface, a portion of said inner surface of one of said front and rear walls of said carrying case being permanently attached to said sheet at a location inwardly of said first end of said sheet and between said first and second longitudinal edges of said sheet, said carrying case wholly containing said sheet within said carrying case in said transport and storage mode, [said carrying case adapted to allow deployment of said sheet by reversing said carrying case into said use mode, whereby when said carrying case is reversed into said use mode] said sheet being wholly deployed outside of said carrying case in said use mode with said open first end of said carrying case [faces] facing one of said longitudinal edges of said sheet and with said outer surface of said carrying case [forms] forming the

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inner surface of a pillow case;

a slip cover pocket located at said first end of said sheet, said slip cover being configured to be placed over that end of a lounge chair adapted to receive a user's torso; and

at least one pocket located adjacent at least one of said longitudinal edges of said sheet.